

1 AN ACT in relation to highways.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Toll Highway Act is amended by changing
5 Section 16.1 as follows:

6 (605 ILCS 10/16.1) (from Ch. 121, par. 100-16.1)

7 Sec. 16.1. (A) All contracts for services or supplies
8 required from time to time by the Authority in the
9 maintenance and operation of any toll highway or part thereof
10 under the provisions of this Act or all direct contracts for
11 supplies to be used in the construction of any toll highway
12 or part thereof to be awarded under this Section, rather than
13 as a part of a contract pursuant to Section 16 of this Act,
14 when the amount of any such supplies or services is in excess
15 of the sum of \$7,500 shall be let to the lowest responsible
16 bidder or bidders, on open, competitive bidding after public
17 advertisement made at least 5 days prior to the opening of
18 bids, in a newspaper of general circulation in any city of
19 over 500,000 population, or in any county through which the
20 tollway passes, in such manner and on one or more occasions
21 as may be prescribed by the Authority, except that bidding
22 shall not be required in the following cases:

23 1. Where the goods or services to be procured are
24 economically procurable from only one source, such as
25 contracts for telephone service, electric energy and
26 other public utility services, housekeeping services,
27 books, pamphlets and periodicals and specially designed
28 business equipment and software.

29 2. Where the services required are for
30 professional, technical or artistic skills.

31 3. Where the services required are for advertising,

1 promotional and public relations services.

2 4. In emergencies, provided that an affidavit of
3 the person or persons authorizing the expenditure shall
4 be filed with the Authority and the Auditor General
5 within 10 days after such authorization setting forth the
6 conditions and circumstances requiring the emergency
7 purchase, the amount expended and the name of the vendor
8 or contractor involved; if only an estimate is available,
9 however, within the 10 days allowed for filing the
10 affidavit, the actual cost shall be reported immediately
11 after it is determined.

12 5. In case of expenditures for personal services.

13 6. Contracts for equipment and spare parts in
14 support thereof for the maintenance and operation of any
15 toll highway, or any part thereof, whenever, the
16 Authority shall, by resolution, declare and find that a
17 particular make and type of equipment is required for
18 efficient maintenance and operation and proper servicing,
19 for uniformity in and integration with the spare parts
20 program and inventory control, or for other reasons
21 peculiar to the problems of the toll highway or its
22 previously acquired equipment; however, competition and
23 competitive bids shall be obtained by the Authority with
24 respect to such specified equipment or spare parts,
25 insofar as possible, and when effective, pursuant to
26 public advertisement as hereinbefore provided.

27 7. Contracts for insurance, fidelity and surety
28 bonds.

29 8. Contracts or agreements for the completion of a
30 terminated or defaulted contract or agreement.

31 (B) The solicitation for bids shall be in conformance
32 with accepted business practices and the method of
33 solicitation shall be set out in detail in the rules and
34 regulations of the Authority.

1 (C) Proposals received pursuant to public advertisement
2 shall be publicly opened at the day and hour and at the place
3 specified in the solicitation for such bids.

4 (D) Successful bidders for such services and supplies
5 shall enter into contracts furnished and prescribed by the
6 Authority.

7 (E) All purchases, contracts or other obligations or
8 expenditures of funds by the Authority shall be in accordance
9 with rules and regulations governing the Authority's
10 procurement practice and procedures and the Authority shall
11 promulgate and publish such practices and procedures in
12 sufficient number for distribution to persons interested in
13 bidding on purchases or contracts to be let by the Authority.
14 Such rules and regulations shall be kept on file with the
15 Secretary of the Authority at all times and shall be
16 available for inspection by members of the public at all
17 reasonable times and hours.

18 Such rules and regulations shall be filed and become
19 effective in connection with the Illinois Administrative
20 Procedure Act.

21 (F) Any contract entered into for purchase or
22 expenditure of funds of the Authority made in violation of
23 this Act or the rules and regulations in pursuance thereof is
24 void and of no effect.

25 (G) (Blank). Warrant.--All--sellers-to-the-Authority
26 shall-attach-a-statement-to-the--delivery--invoice--attesting
27 that--the-standards-set-forth-in-the-contracts-have-been-met.
28 The-statement-shall-be-substantially-in-the-following-form:

29 "The--Seller,---hereby--certifies--that---the---goods,
30 merchandise-and-wares-shipped-in-accordance-with-the-attached
31 delivery--invoice--have--met--all--the-required-standards-set
32 forth-in-the-purchasing-contract.

33 ----(Seller)-"

34 (H) Whoever violates the provisions of this Section, or

1 the rules and regulations adopted in pursuance thereof, is
2 guilty of a Class A misdemeanor.

3 (Source: P.A. 86-1164.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.